

1 **FARUQI & FARUQI, LLP**
Barbara A. Rohr (SBN 273353)
2 brohr@faruqilaw.com
Benjamin Heikali (SBN 307466)
3 bheikali@faruqilaw.com
10866 Wilshire Blvd., Suite 1470
4 Los Angeles, CA 90024
Telephone: (424) 256-2884
5 Facsimile: (424) 256-2885
6

JS-6

7 **MONTEVERDE & ASSOCIATES PC**
David E. Bower (SBN 119546)
8 dbower@monteverdelaw.com
600 Corporate Pointe, Suite 1170
9 Culver City, CA 90230
Telephone: (213) 446-6652
10

11 *Attorneys for Plaintiff Brian Joyce*

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 BRIAN JOYCE, Individually and on
Behalf of All Other Similarly Situated,

16 Plaintiff,

17 v.
18

19 IXIA, ERROL GINSBERG, BETHANY
MAYER, LAURENT ASSCHER,
20 JONATHAN FRAM, GAIL
HAMILTON, and ILAN DASKAL,

21 Defendants.
22

CLASS ACTION

Case No. 2:17-cv-02071-R-AFM

Assigned To Hon. Manuel L. Real

**ORDER GRANTING STIPULATION
OF DISMISSAL PURSUANT TO
FEDERAL RULE OF CIVIL
PROCEDURE 41(a)**

Action Filed: March 15, 2017

Trial Date: None Set

23 Having considered the Stipulation of Dismissal submitted by Plaintiff Brian
24 Joyce and Defendants, and good cause appearing,

25 **IT IS HEREBY ORDERED THAT:**

26 1. The Action is dismissed, and all claims asserted therein are dismissed
27 with prejudice as to Plaintiff only. All claims on behalf of the putative class are
28 dismissed without prejudice.

1 2. Because the dismissal is with prejudice as to Plaintiff only, and not on
2 behalf of a putative class, notice of this dismissal is not required.

3 3. The Court retains jurisdiction of the Action solely for the purpose of
4 determining Plaintiff's forthcoming Fee Application, if such Fee Application
5 becomes necessary.

6 4. This Order is entered without prejudice to any right, position, claim or
7 defense any party may assert with respect to the Fee Application, which includes the
8 Defendants' right to oppose the Fee Application.

9 5. To the extent that the parties are unable to reach an agreement
10 concerning the Fee Application, they may contact the Court regarding a schedule
11 and hearing to present such application to the Court.

12 6. Upon completion of briefing, the parties shall promptly contact the
13 Court to schedule argument regarding Plaintiff's Fee Application at a time
14 convenient to the Court.

15 7. This action is removed from the Court's active caseload until further
16 application by the parties or Order of this Court. All pending dates are vacated by
17 the Court. If the parties reach an agreement concerning the Fee Application, they
18 will notify the Court.

19 **IT IS SO ORDERED.**

20
21 Dated: April 18, 2017



Honorable Manuel L. Real
United States District Judge